THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO.19160 OF 2005

Dated 5th September 2005

Between:

C.Ratna W/o.C.Anand, aged 54 years,

Occu:Household, R/o.H.No.2-2-1131/1/A (New No.892),

New Nallaikunta, Hyderabad.

…Petitioner

And

Union of India, rep.by its Secretary,

Ministry of Education, Secretariat, New Delhi & 5 others.

…Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO. 19160 OF 2005

O R D E R:

The petitioner was employed as a teacher in an institution, under the Directorate of Education, Government of NCT of Delhi. Through an order, dated 4.8.2004, she was removed from service. The order of removal is said to have been received by the petitioner, on 30.8.2004. The grievance of the petitioner is that she submitted her resignation, much prior to the order of removal, and several benefits such as, provident fund, gratuity, etc., were denied to her. Another grievance is about

treating the period of absence, as Dies Non.

Heard the learned counsel for the petitioner and learned Standing Counsel for the first respondent.

It is not in dispute that the petitioner was employed in an institution, established by the Government of NCT of Delhi. This Court does not have territorial jurisdiction, to entertain the writ petition, against such agency. If the petitioner is aggrieved by the order of termination, or denial of any benefits, she has to approach the appropriate forum, which has territorial jurisdiction over her employer.

Learned counsel for the petitioner submits that the petitioner was handicapped from presenting an application, before the appropriate forum at Delhi, on account of her financial constraints, and if she is required to file the same before the forum at Delhi, it may be treated as time barred. The apprehension of the petitioner does not appear to be well placed. The order of termination was passed hardly one year ago. Even assuming that the petitioner had to file O.A., before the Administrative Tribunal, she can file the same, with an application to condone the delay. On the other hand, if it is permissible for the petitioner to file a writ petition, even that much explanation is not necessary.

For the foregoing reasons, the writ petition is dismissed, leaving it open to the petitioner, to work out her remedies in an appropriate forum. The Registry is directed to return the original documents filed by the petitioner in this writ petition. There shall be no order as to costs.

_____

5th September 2005

PAN